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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/755,162	01/08/2004	Norman Gennaro	021756-088600US	1248
51206 7590 10/13/2010 TOWNSEND AND TOWNSEND AND CREW LLP/ORACLE TWO EMBARCADERO CENTER 8TH FLOOR SAN FRANCISCO, CA 94111-3834				
EXAMINER				
PARKER, BRANDI P				
ART UNIT		PAPER NUMBER		
3624				
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10/13/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/755,162

Applicant(s)

GENNARO ET AL.

Examiner

BRANDI P. PARKER

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-2 and 4-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI.08)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Interval Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/2/2010 has been entered.

Acknowledgements

2. This is a non-final office action in response to the Applicant's Request for Continued Examination filed on 8/2/2010.
3. Claims 1-2 and 4-14 are pending in this Office Action. Claim 3 is cancelled. Claims 1 and 8 are amended.

Response to Arguments

4. Applicant's arguments with respect to claims 1-2 and 4-14 have been considered but are moot in view of the new ground(s) of rejection.

5. Support for Applicant's amendments to independent claims 1 and 8 can be found on page 10 of Applicant's Remarks, as referenced by Figure 1 and Figure 4. Figure 1 displays a spreadsheet or table formatted user interface with cells, rows and columns, and entries on the worksheet (See Applicant's Specification, paragraph 0010). The worksheet tracks and identifies sales opportunities, tags products as unknown where further follow up is needed to gather additional information and the information presented on the worksheet is limited by the results of a search on the information stored in the database (See Applicant's Specification, paragraph 0011-0012).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-14 rejected under 35 U.S.C. 103(a) as being unpatentable over Cook (US 2002/0059095) in view of Johnson et al (US 6067525), in further view of Kish (US 2002/0143651).

8. With respect to claim 1, 8 and 10, Cook teaches:

receiving, at one or more computer systems hosting a network-based sales territory planning and targeting tool, information regarding needs of customers of a salesperson within a sales territory (paragraph 0002, 0005, and 0012, regarding customer lead data, including customer needs);

receiving, at the one or more computer systems hosting the network-based sales planning and targeting tool, information regarding an install base of products and/or services of the customers, the install base information including origination information indicating those products and/or services that originate from an employer of the salesperson (paragraph 0011, regarding "e-brochure" containing information relating to the products or services that the company is promoting; paragraph 0045, regarding customer representative logs on to the Lead Management Intranet using passwords assigned by sales territory);

generating, with one or more processors associated with the one or more computer systems hosting the network-based sales territory planning and targeting tool, information based on the customers' needs and install base information, tagging as sales opportunities those products and/or services offered for sale by the salesperson that match the customers' needs and those products and/or services of the customers' install base of products and/or services offered by the sales representative that the customers are likely to consider purchasing (paragraph 0006, regarding matching the

customer's product/service need requirements to the products and services that the company provides);

storing the customers' needs information, the customers' install base information, the information tagging as sales opportunities those products and/or services offered for sale by the salesperson that match the customers' needs and those products and/or services of the customers' install base of products and/or services offered by the salesperson that the customers are likely to consider purchasing, in a central database associated with the one or more computer systems hosting the network-based sales territory planning and targeting tool; (paragraph 0012, regarding presenting to the customer lead an optimized solution to their problems by listing a range of potential product/service solutions),

generating, with the one or more processors associated with the one or more computer systems hosting the network-based sales territory planning and targeting tool, information configured for displaying a first user interface on a computer coupled to a network, the first user interface having visual elements that enable the salesperson to formulate a search of the central database according to selected ones of a plurality of parameters related to customers in the salesperson's sales network and the products and/or services offered for sale by the salesperson (paragraph 002, regarding the cryptographically secure web-interface; paragraph 0013, regarding searching the lead management database for customer information);

receiving, at the one or more computer systems hosting the network-based sales territory planning and targeting tool, results of applying the search to the central database; and (paragraph 0013, regarding searching the lead management database for customer information);

generating in response to receiving the results of the search, with the one or more processors associated with the one or more computer systems hosting the network-based sales territory planning and targeting tool, information configured for displaying a second user interface on a computer coupled to the network, the second user interface configured according to the search with a tabular worksheet organized across the customers in the salesperson's sales territory and the products and/or services offered for sale by the salesperson, entries in the tabular worksheet including at least the tagged sales opportunities, the customers' install base of products and/or services, the origination information, and the tagged unknown information (paragraph 0045, regarding generated reports and tabulated information regarding product/service features).

Cook does not teach including in the base of information regarding the offered products and services those products and/or services that originate from competitors of the salesperson's employer. However, Johnson teaches:

presenting the company's product information side-by-side with a competitor's product information, where the competitor's product information is retrieved from a knowledge database (column/line 12/43-46; column/line 25/40-43);

receiving, at the one or more computer systems hosting the network-based sales territory planning and targeting tool, a search formulated via the first user interface specifying a first parameter requesting the products and/or services offered for sale by the salesperson tagged as sales opportunities (column/line 12/22-31).

It would have been obvious to one of ordinary skill in the art to include the business methods of Cook with the ability to view competitor product/service information as taught by Johnson since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Cook in view of Johnson does not explicitly teach tagging products as unknown in a database. However, Weston teaches:

generating, with the one or more processors associated with the one or more computer the information tagging areas where the salesperson should gather additional install base information as unknown (paragraph 0143, Figure 27-29,

regarding unknown management section for previously sold/purchased products that are stored in a database and is used for the identification of unknown product affiliation);

storing the tagging areas where the salesperson should gather additional install base information as unknown in a central database associated with the one or more computer systems (paragraph 0143, Figure 27-29);

receiving, at the one or more computer systems, a search formulated via the first user interface specifying second parameter requesting areas where the salesperson should gather additional install base information tagged as unknown (paragraph 0002, regarding searchable database capabilities; Figure 27-29).

It would have been obvious to one of ordinary skill in the art to include the business methods of Cook and Johnson with the ability to teach tagging products as unknown in a database as taught by Weston since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

9. Regarding claims 2, 7, 9 and 14, Cook, in view of Johnson teaches the system of claim1 and providing the stored information in a tabular worksheet (paragraph 0045,

regarding generated reports and tabulated information regarding product/service features). Cook in view of Johnson does not directly teach visually coding the tabular worksheet or customizing the appearance and ordering of entries in the worksheet, and limiting the results on information stored in the database. However, it is old and well known in the art to use spreadsheet applications, such as Microsoft Excel, to color-code and customize worksheets. Also, it is old and well known in the art to use a spreadsheet application such as Microsoft Excel to filter results in the spreadsheet based on a selected parameter. Therefore, it would have been obvious to one with ordinary skill in the art to include such features in the aforementioned claims in Cook to render the claims obvious, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

10. In the previous Office Action mailed 8/5/2008, 2/3/2009 and 3/10/2010, notice was taken by the Examiner that the above subject matter is old and well known in the art. Per MPEP 2144.03(c), these statements are taken as admitted prior art because no traversal of this statement was made in the subsequent response.

11. With respect to claims 4 and 11, Cook further teaches: receiving, at the one or more computer systems hosting the network-based sales territory planning and targeting tool, information specifying a sales hierarchy of the salesperson's employer,

each role in the sales hierarchy having a set of predetermined rights and responsibilities; and wherein information stored on the central database is selectively accessible via the visual elements of the first user interface according to a role of the salesperson defined in the sales hierarchy of the salesperson's employer (paragraph 0045, regarding access to the lead management intranet can be according to the levels of authority).

12. Regarding claims 5 and 12, Cook further teaches receiving, at the one or more computer systems hosting the network-based sales territory planning and targeting tool, information provided by the salesperson's manager defining the tabular worksheet for the salesperson; and wherein generating the information configured for displaying the second user interface comprises generating the information configured for displaying the second user interface based on the information provided by the salesperson's manager defining the tabular worksheet for the salesperson the provided information in the tabular worksheet in the providing step is limited to results of a search on the information stored in the database (paragraph 0045, regarding generated reports and tabulated information regarding product/service features).

13. Regarding claims 6 and 13, Cook further teaches wherein the search is carried out for at least one parameter selected from customer, region, industry, product, service, origination information and unknown information (paragraph 0045, regarding generated reports and tabulated information regarding product/service features).

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kishi (US 2002/0143651), regarding the collection of purchase and sales information;

Kelman et al (US 6850896), regarding the management of sales data using the web.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRANDI P. PARKER whose telephone number is (571) 272-9796. The examiner can normally be reached on Mon-Fri. 8-5pm.

16. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynda C. Jasmin can be reached on (571) 272-6782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

17. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BRANDI P PARKER/
Examiner, Art Unit 3624
10/9/2010

/LYNDA C JASMIN/
Supervisory Patent Examiner, Art Unit 3624